

## **REMARKS**

In response to the Office Action dated January 28, 2009, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 14-22 and newly presented 39-47 are pending in this application.

### **Rejection of Claims under § 112**

The Office rejected claims 1-28 and 32-38 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the enablement requirement. Many of these claims have been canceled, so the rejection is moot as to the canceled claims. Independent claim 14 has been amended, so the Office is respectfully requested to re-examine claims 14-22 in their current presentation.

### **Allowability of Claims**

The Office indicated that claims 14-22 would be allowable if rewritten to overcome the § 112 rejection. Independent claim 14 has been amended to fully comply with § 112. Examiner Saltarelli is thanked for the indication of allowability.

New claims 39-47 are system claims that recite similar features as claims 14-22. New independent claims 48 and 49 also recite similar features as allowable independent claim 14. The Assignee thus respectfully asserts that claims 39-49 also deserve allowance.

### **Rejection of Claims under § 102 (e)**

The Office rejected claims 1-9, 11-13, 23-29, and 32-37 under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent 6,718,551 to Swix, *et al.* (AT&T Docket 96055).

These claims have been canceled, so the rejection is moot.

**Rejection of Claims under § 103 (a)**

The Office rejected claims 1-13, 23-29, and 32-38 under 35 U.S.C. § 103 (a) as allegedly being obvious over U.S. Patent Application Publication 2003/0110489 to Gudorf, *et al.* in view of U.S. Patent 5,606,359 to Youden, *et al.*

These claims have been canceled, so the rejection is moot.

**New Claims 39-49**

This response presents new claims 39-49. New claims 39-47 are system claims that recite similar features as claims 14-22. New independent claims 48 and 49 also recite similar features as allowable independent claim 14. New claims 39-47 replace the canceled claims.

No excess claims fees are due. The number of independent claims is four (4), and the number of pending claims is twenty (20). The number of independent claims is thus within the fees already paid.

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If any questions arise, the Office is requested to contact the undersigned at (919) 387-6907 or [scott@scottzimmerman.com](mailto:scott@scottzimmerman.com).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott P. Zimmerman', with a stylized flourish at the end.

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